

110TH CONGRESS
2D SESSION

H. RES. 1482

To condemn the efforts of the Human Rights Committee of the United Nations and the United Nations Committee on the Elimination of Discrimination against Women to pressure and coerce the democratically elected government of the Republic of Ireland to reduce or eliminate its constitutionally established abortion restrictions.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 23, 2008

Mr. McCOTTER (for himself, Ms. ROS-LEHTINEN, and Mr. SMITH of New Jersey) submitted the following resolution; which was referred to the Committee on Foreign Affairs

RESOLUTION

To condemn the efforts of the Human Rights Committee of the United Nations and the United Nations Committee on the Elimination of Discrimination against Women to pressure and coerce the democratically elected government of the Republic of Ireland to reduce or eliminate its constitutionally established abortion restrictions.

Whereas the Human Rights Committee of the United Nations (in this resolution referred to as the “Human Rights Committee”) monitors states who are parties to the International Covenant on Civil and Political Rights (in this resolution referred to as the “Covenant”), to determine if a state has complied with and implemented the terms of the Covenant;

Whereas the United Nations Committee on the Elimination of Discrimination against Women (in this resolution referred to as the “CEDAW”) monitors states who are parties to the Convention on the Elimination of all Forms of Discrimination Against Women (in this resolution referred to as the “Convention”), to determine if a state has complied with and implemented the terms of the Convention;

Whereas the unelected members of Human Rights Committee and the CEDAW operate without any formal oversight and are entirely unaccountable to the United Nations System and Member States;

Whereas the unelected members of the Human Rights Committee and the CEDAW use General Comments and General Recommendations, respectively, to change the meaning of the Covenant and the Convention from the original text negotiated by the sovereign states;

Whereas no United Nations human rights treaty, including the Covenant and the Convention, mentions the word “abortion”, or establishes or implies a right to abortion;

Whereas, on August 20, 1999, the CEDAW pressured the democratically elected government of the Republic of Ireland to change its laws restricting abortion, by issuing a Report of the Committee on the Elimination of Discrimination against Women which stated “. . . the Committee is concerned that, with very limited exceptions, abortion remains illegal in Ireland.”, and stated that the government of Ireland ought to “. . . facilitate a national dialogue on women’s reproductive rights, including on the restrictive abortion laws.”;

Whereas, on July 24, 2000, the Human Rights Committee attempted to coerce democratically the elected government of the Republic of Ireland to change its laws restricting abortion, implying that the Covenant obligates the Republic to do so, by issuing Concluding Observations on Ireland of the Human Rights Committee that stated “[t]he State should ensure that women are not compelled to continue with pregnancies where that is incompatible with obligations arising under the Covenant (art. 7) and General Comment No. 28.”;

Whereas, on July 22, 2005, the CEDAW pressured the democratically elected government of the Republic of Ireland to change its laws restricting abortion by issuing Concluding Comments on Ireland that stated “. . . the Committee reiterates its concern about the consequences of the very restrictive abortion laws under which abortion is prohibited except where it is established as a matter of probability that there is a real and substantial risk to the life of the mother that can be averted only by the termination of her pregnancy.”;

Whereas, on July 22, 2005, the CEDAW admitted in its Concluding Comments on Ireland, that “extensive national dialogue had occurred [in Ireland] on the issue of abortion, with five separate referendums held on three separate occasions.”, but again pressured the democratically elected government of the Republic of Ireland to change its laws restricting abortion (while ignoring the rejection by the Irish people of five measures to liberalize those abortion laws) by “. . . urging the State party to continue to facilitate a national dialogue on women’s right to reproductive health, including the very restrictive abortion laws.”;

Whereas, on July 30, 2008, the Concluding Observations on Ireland of the Human Rights Committee strongly pressured and attempted to coerce the democratically elected government of the Republic of Ireland to change its laws restricting abortion, implying that the laws contravene the Convention, by stating “[t]he Committee reiterates its concern regarding the highly restrictive circumstances under which women can lawfully have an abortion in the State party.”, and “[t]he State party should bring its abortion laws into line with the Covenant.”; and

Whereas the established pattern of pressure and attempted coercion from the Human Rights Committee and the CEDAW against the democratically elected government of the Republic of Ireland to change its laws restricting abortion represents a microcosm of the efforts of the United Nations Human Rights Treaty System (with the present exception of the Committee on Migrant Workers) to pressure and coerce over 80 states to change their laws restricting abortions: Now, therefore, be it

1 *Resolved*, That the House of Representatives—

2 (1) condemns the efforts of the Human Rights
3 Committee of the United Nations and the United
4 Nations Committee on the Elimination of Discrimi-
5 nation against Women to pressure and coerce the
6 democratically elected government of the Republic of
7 Ireland to reduce or eliminate its constitutionally es-
8 tablished abortion restrictions;

9 (2) strongly rebukes the efforts of the Human
10 Rights Committee of the United Nations and the

1 United Nations Committee on the Elimination of
2 Discrimination against Women to interpret the
3 International Covenant on Civil and Political Rights
4 and the Convention on the Elimination of all Forms
5 of Disrimination Against Women as establishing the
6 right to abortion;

7 (3) calls into question the merit of using United
8 States taxpayer-generated revenues to support the
9 Human Rights Committee of the United Nations
10 and the United Nations Committee on the Elimini-
11 nation of Discrimination against Women in light of
12 the consistent work of the committees to promote
13 the practice of abortion around the world; and

14 (4) urges countries with restrictions on the
15 practice of abortion to remain steadfast in the time-
16 honored traditions and verities of their cultures,
17 which recognize that every human being, born or un-
18 born, has an inherent right to life, despite the pres-
19 sure and coercion by the members of the United Na-
20 tions Human Rights Treaty System, whose positions
21 and views on abortion are increasingly influenced by
22 pro-abortion, non-governmental organizations such
23 as the Center for Reproductive Rights, the Inter-

- 1 national Women's Health Coalition, and the Inter-
- 2 national Planned Parenthood Federation.

